

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, AUGUST 20, 2009.

JOURNAL OF THE HOUSE.

Thursday, August 20, 2009.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, our Creator, the Ultimate Source of Goodness and Truth, we pause for a moment for personal reflection and personal prayer. We are grateful to You, for we believe that You watch over and care for us at all times and in all circumstances. We also pray for guidance and clarity of thought as we evaluate the legislative and administrative matters and public policy issues which come before us. Your assistance enables us to make the right, fair and objective decisions and choices in legislative and personal matters. As elected leaders of the people who depend upon our good judgment and good sense inspire us to plan and address, not only current challenges, but also to plan for the future well-being of our children and the Commonwealth. Teach us to learn from the past as we prepare for the future of our communities.

Grant Your blessings to the Speaker, the members and employees of this House and to their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Prayer.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. Cabral of New Bedford, Koczera of New Bedford, Canessa of New Bedford and Quinn of Dartmouth) congratulating 'Clube Recordacoes de Portugal' on the occasion of its eightieth anniversary;

Resolutions (filed by Mr. Nyman of Hanover) congratulating Mr. and Mrs. Ernest Dubeau, Jr., on their twenty-fifth wedding anniversary;

Resolutions (filed by Mr. Nyman of Hanover) congratulating Rita M. Howes on the occasion of her eightieth birthday;

Resolutions (filed by Mr. Smizik of Brookline) congratulating Doctor David B. Starr on the occasion of receiving the Zvi R. Cohen Leadership and Legacy Award; and

Resolutions (filed by Mr. Walsh of Boston) congratulating Thomas P.V. Masiello on the occasion of his retirement;

Mr. Binienda of Worcester, for the committee on Rules, reported, in

Clube Recordacoes
de Portugal.

Ernest and
Debra Dubeau.

Rita M.
Howes.

David B.
Starr.

Thomas P.V.
Masiello.

each instance, that the resolutions ought to be adopted. Under suspension of the Rules, in each instance, on motion of Mr. Pedone of Worcester, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Mr. Linsky of Natick presented a petition (accompanied by bill, House, No. 4216) of David Paul Linsky, Richard J. Ross and Scott P. Brown (by vote of the town) that the town of Millis be authorized to establish an appointed board of assessors; and the same was referred to the committee on Municipalities and Regional Government.

Millis, —board of assessors.

Petitions severally were presented and referred as follows:

By Mr. Quinn of Dartmouth, petition (subject to Joint Rule 12) of John F. Quinn and others for legislation to allow vendors to pay the sales tax on behalf of the purchasers.

Vendors, — sales tax.

By. Ms. Richardson of Framingham, petition (subject to Joint Rule 12) of Pam Richardson relative to zoning of land or structures for educational uses on land owned or leased by nonprofit educational corporations.

Zoning,— educational corporations.

By Mr. Vallee of Franklin, petition (subject to Joint Rule 12) of James E. Vallee, Martha Coakley (Attorney General) and others relative to economic crimes involving monetary instruments or other property known to be derived from criminal activity.

Economic crimes.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill relative to the preliminary elections in the city of Lowell in the current year (Senate, No. 2116) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Lowell, — preliminary election.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Nangle of Lowell, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence, its title having been changed by said committee to read: "An Act relative to the preliminary elections in the city of Lowell in 2009."

The Senate Bill authorizing Berkshire Community College to lease certain land to the Pittsfield Young Men's Christian Association (Senate, No. 2114, amended by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2127; and by striking out the following title: "An Act relative to the leasing

Berkshire Community College,— Pittsfield YMCA

of land to the Pittsfield Family YMCA by Berkshire Community College.” and inserting in place thereof the new title (as shown) (on Senate, No. 600), passed to be engrossed by the Senate was read; and it was referred, under Rule 33, to the committee on Ways and Means.

lease.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2128) of Fredrick E. Berry (with the approval of the mayor and city council) for legislation to ratify, validate and confirm in all respects the election calendar established by the city of Salem.

Salem,—
election calendar.

Petition (accompanied by bill, Senate, No. 2129) of Bruce E. Tarr, Bradford Hill and Barbara A. L’Italien (by vote of the town) for legislation relative to recall election in the town of Middlefield.

Middlefield,—
recall election.

Severally to the committee on Election Laws.

Petition (accompanied by bill, Senate, No. 2130) of Benjamin B. Downing and Daniel E. Bosley (by vote of the town) for legislation to establish the position of town clerk in the town of Charlemont. To the committee on Municipalities and Regional Government.

Charlemont,—
town clerk.

A petition of Brian A. Joyce for legislation to establish a sick leave bank for Terry Howard, an employee of the Department of Public Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Terry Howard , —
sick leave bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2131) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Harriett L. Stanley relative to the rights of maternity patients to be informed of feeding options by admitting hospitals. To the committee on Public Health.

Maternity patients,
—feeding options.

Petition (accompanied by bill) of Louis L. Kafka relative to property tax liabilities. To the committee on Revenue.

Property tax
liabilities.

Under suspension of the rules, on motion of Mrs. Haddad of Somerset, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Moran of Boston, for the committee on Election Laws, on a petition, a Bill eliminating preliminary elections in Revere 2009 (House, No. 1114). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Revere,—
elections.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Ms. Reinstein of Revere, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: “An Act eliminating the preliminary election in the city of Revere in 2009.”. Sent to the Senate for concurrence.

By Mr. Moran of Boston, for the committee on Election Laws, on a petition, a Bill relative to the election of the members of the board of public works of the town of Hopkinton (House, No. 1909) [Local Approval Received].

Hopkinton,—
election.

By Mr. Straus of Mattapoisett, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill authorizing the lease of certain parcels of land to the town of Milton (House, No. 846).

Milton,—
land lease.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills

Relative to oral health in the Commonwealth (see Senate, No. 536);

Designating disability history month (see Senate, No. 1469);

Relative to the Leino Park Water District (see Senate, No. 2068);

(Which severally originated in the Senate); and

Designating a certain area in the city of Worcester as a place of peace healing garden (see House, No. 2988) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Engrossed bills

Establishing a sick leave bank for Michele Merenda, an employee of the Department of Transitional Assistance (see House, No. 1149); and

Establishing a sick leave bank for Keith Bianchini, an employee of the Department of Correction (see House, No. 2365)

(Which severally originated in the House)

In respect to each of which the Senate had concurred in adoption of the emergency preamble, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Id.

Orders of the Day.

The Senate Bill authorizing the town of Bellingham to grant additional licenses for the sale of alcohol (Senate, No. 152), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

House bills

Relative to the charter of the town of Lunenburg (House, No. 635) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing certain persons to be appointed as firefighters and

Third
reading
bills.

policemen in the town of Arlington, notwithstanding the maximum age requirement (House, No. 2433) (it title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Natick to sell or lease certain property (House, No. 3705) (it title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Natick to establish a separate fund for the acquisition and construction of new parking (House, No. 3706);

Relative to the use of a certain parcel of land in the town of Provincetown (House, No. 4093, amended) (it title having been changed by the committee on Bills in the Third Reading); and

Relative to the charter of the town of Provincetown (House, No. 4135);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence

Recess.

At eleven minutes before twelve o'clock noon, on motion of Mr. McMurtry of Dedham (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock; and at that time the House was called to order with Mr. Donato in the Chair.

Recess.

Engrossed bills.

Engrossed bills

Authorizing the town of Bellingham to grant additional licenses for the sale of alcohol (see Senate, No. 152);

Relative to the preliminary elections in the city of Lowell in 2009 (see Senate, No 2116);

(Which severally originated in the Senate); and

Eliminating the preliminary election in the city of Revere in 2009 (see House, No. 1114) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At one minute before one o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal

Session.